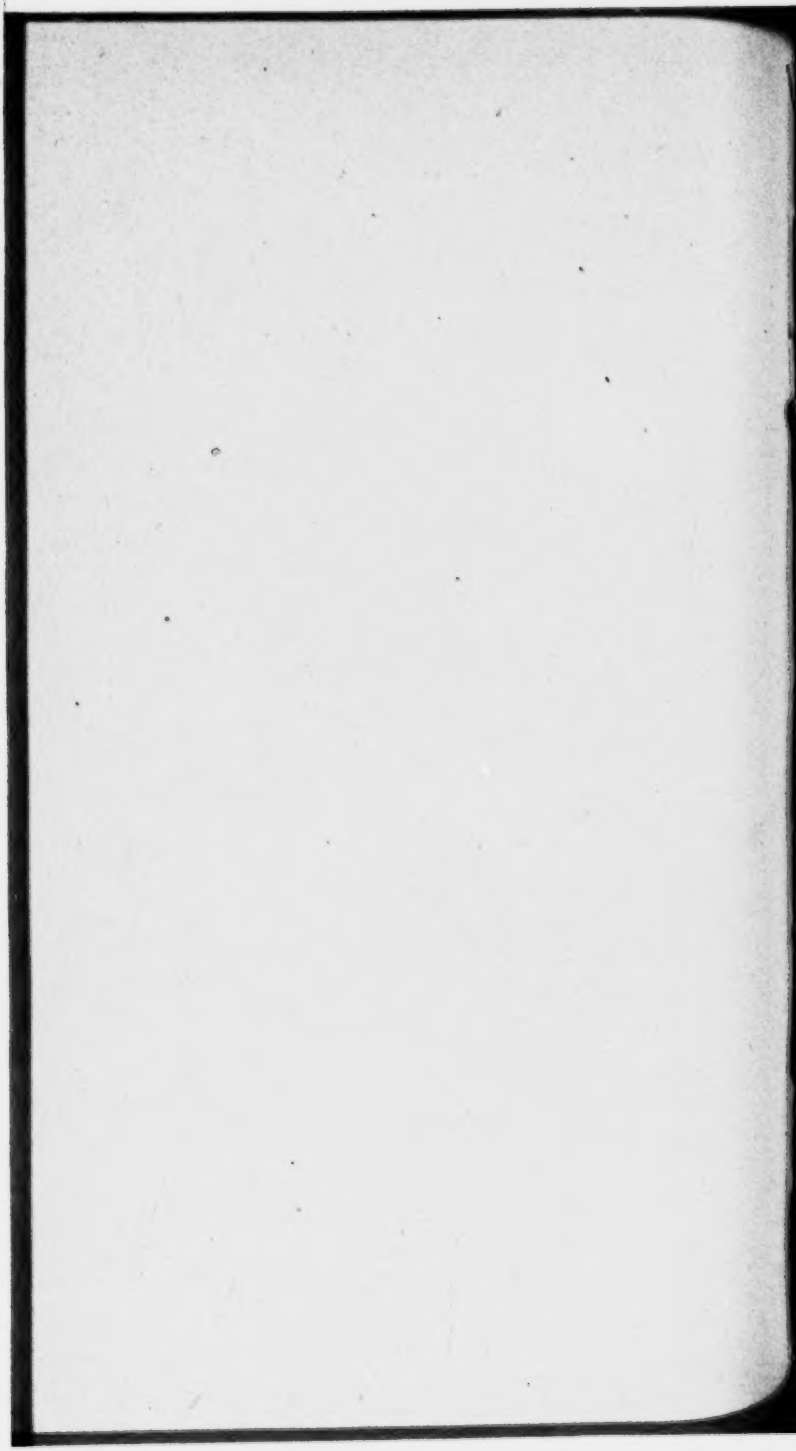

Office Supreme Court
FILED
OCT 7 1901
JAMES H. McKENNEY,
Clerk.

No. 215.

NOTICE OF MOTION TO DISMISS THE WRIT OF ERROR AND BRIEF

Brief of Tenney for D. C. (mo.

Filed Oct. 7, 1901.

SUPREME COURT

OF THE UNITED STATES.

OCTOBER TERM, 1901.

No. 215.

E. BEMENT & SONS,
Plaintiff in Error,
vs.
NATIONAL HARROW COMPANY,
Defendant in Error.

IN ERROR TO THE SUPREME COURT OF THE STATE OF NEW YORK.

The defendant in error, the National Harrow Company, now comes into this court on the 14th day of October, 1901, at the opening of the court on that day or as soon thereafter as this motion can be heard by this court and moves this court to dismiss the writ of error herein on the following ground:

That the record in this case fails to disclose that any question was raised or decided in the Court of Appeals of the State of New York in which any treaty of the United States or any laws of the United States or any constitutional provision of the United States or any right granted or prohibited by any treaty of the United States or any law of the United States or any constitutional provision of the United States was involved.

And further, that the record fails to disclose that any federal question was involved, raised or decided by the Court of Appeals of the State of New York, and for such other and further relief in the premises as may be just and equitable.

Dated October 3, 1901.

Yours, &c.,

EDWIN H. RISLEY,

Att'y and of Counsel for Defendant in Error,

O. and P. O. Address, Herald Bldg., Utica, N. Y.

To EDWARD CAHILL, CLARENCE WOOD, *Lansing, Mich., Attorneys and of Counsel for Plaintiff in Error.*

HENRY J. COOKINHAM, *Utica, N. Y., of Counsel for Plaintiff in Error.*